

PRESIDENT: Senator Abboud.

SENATOR ABBODD: Mr. President, colleagues, i don't plan to pursue this particular amendment, but it has been placed before the body for purposes of discussion and basically to read some things into the record. I think most of you have probably decided on this particular issue. And probably Senator Chambers, today, does have the votes to see that the Legislature does pass LB 1226 today. But I would like to read a few things...a few things discussed. First off, that the National Collegiate Athletic Association, the NCAA, has made it perfectly clear that if the State of Nebraska does in fact enact a law, after we pass this law, and other states follow suit and it does become the law of the State of Nebraska, calling for the payment of athletes, that any payment in the form of a wage, salary or stipend would disqualify Nebraska from NCAA competition. Now, in an article that I passed out on the floor the Executive Director, Dick Schultz, of the NCAA explained that he, himself, is not necessarily opposed to the method of paying football players, the stipend methods proposed in LB 1226, but that on several occasions the NCAA, at their conventions, made up of approximately 900 NCAA institutions, that they have continually voted down proposals for a stipend, and that until the NCAA, as a body, makes the determination in the positive manner stating that in fact sanctions are...stipends are, in fact, sanctioned by the NCAA that the University of Nebraska, if they did pursue this approach of providing a stipend to the football player would violate NCAA bylaws which would result in the University of Nebraska being prohibited from being a part of the NCAA competition. Now, another statement I'd like to read into the record or point out to the body is that I have requested an Attorney General's Opinion. At this time I have not received that Attorney General's Opinion back. But I would like to point out a couple of points. First, in the Board of Regents v. Exon, which in my letters to the Attorney General, Bob Spire, it states that the Nebraska Supreme Court specified that "a legislative act must not be so detailed and specific in nature as to eliminate all discretion and authority on the part of the Regents as to how a duty shall be performed". If the Legislature directs the university to pay its athletes, all discretion and authority on the part of the university and on the part of the University Board of Regents as to whether the university can continue as a member of the NCAA will be overridden by the Legislature. I don't believe that the